

5 List Policy~~CONFIDENTIAL~~19th June 1959.COCOM Document 3416.35/10COORDINATING COMMITTEERECORD OF DISCUSSIONON THE STATUS OFITEM 1635 - ALLOYS15th June 1959

Present: Belgium(Luxembourg), Canada, Denmark, France, Germany, Italy, Japan, Netherlands, Turkey, United Kingdom, United States.

References: COCOM Documents 3016.00/4, 3416.00/1, 3416.35/1 - 9.

1. The CHAIRMAN stated that, on the occasion of the issue by the Secretariat of the second revision of page No. 24 of COCOM 3300, certain Delegations had expressed conflicting views to him as to the definition of Item 1635(b) which their authorities considered to be currently in force. He had therefore undertaken a thorough examination of the records relating to actual unanimous decisions of the Committee and had come to the following conclusions:

- (a) The Committee had agreed that the following definition of Item 1635(b):

"Nickel bearing steels, n.e.s., containing a total of 32% or more of alloying elements, except such steels containing less than 0.4% titanium or niobium-tantalum."

should come into force on February 1st (COCOM 3016.00/4, page 3, of January 12th, in which the sub-item was still referred to as (d)).

- (b) The Committee then agreed on January 26th on a German proposal (COCOM 3416.00/1) to maintain the whole definition of Item 1635, including sub-item (b) as follows:

"1635 Alloys, as follows:
(See Interpretative Note No. 6)

- (a) Containing
- (1) 10% or more molybdenum (but 5% or more molybdenum in any alloys containing more than 1.4% chromium); or
 - (2) 6% or more cobalt except permanent magnetic metals with a cobalt content of 25% or less; or

(NOTE: Governments may permit as administrative exceptions exports of small quantities of narrow strips for watch springs. Such shipments should be reported in the monthly statistics.)

- (3) 1.5% or more niobium and/or tantalum;

- (b) Nickel bearing steels, n.e.s., containing a total of 32% or more of alloying elements, except such steels containing less than 0.4% titanium or niobium-tantalum;

- (c) Precipitation hardening steels, containing 4% or more nickel. (See Interpretative Note No. 4.)"

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- (c) The Committee then continued discussions on the heading to Item 1635 and on the United States proposal concerning scrap (COCOM 3416.35/1, 2 and 5).
- (d) The Committee agreed on March 16th that the heading to Item 1635 should read as follows (COCOM 3416.35/3, para 7):
 - "Alloy steels as follows:
 - (See Interpretative Note No. 6)
 - (a) Containing 50% or more iron and containing
 - (1) 10% or more molybdenum..."
 - (The remainder of the definition unchanged)

The Committee further decided on March 19th that this change in the heading would come into force on April 15th unless an objection were made before that date (COCOM 3416.35/3, para 9). This revision did not come into force on April 15th because on April 9th the United Kingdom Delegate gave notice of objection to the new definition of Item 1635 "in toto" (Addendum to COCOM 3416.35/3). The United Kingdom statement of objection, however, could only apply to the revision cited above, not to revisions already made effective.
- (e) The current discussions on nickel-bearing steel (Item 1635(b) - former Item 1635(d)) are based on the United Kingdom memorandum COCOM Doc. 3416.35/4 of April 15th. The fact that prior to June 13th no Delegation had raised any objection to the United Kingdom statement in COCOM Doc. 3416.35/4 that the definition in force was still that given for Item 1635(d) in COCOM 3300 could not be taken to mean that the definition which had come into force on February 1st had been superseded.
- (f) As far as the Amendment Sheets to COCOM 3300 were concerned, the Secretariat had issued Amendment Sheet No. 2, reproducing the definition which had come into force on February 1st and at the same time referring to subsequent changes in Item 1635. Such changes, however, had not been agreed to date. The Secretariat then proceeded to issue the second revision of page No. 24 of COCOM 3300, leaving unchanged the definition given in Amendment Sheet No. 2.

2. The COMMITTEE agreed on the following:

- (a) The discussions, decisions, recordings and objections to definitions of Item 1635 have followed a very uncertain course. It is understandable and justifiable that some Delegations should have considered that the definition in force was that recorded in Amendment Sheet No. 2 whereas other Delegations considered that it was the definition recorded in COCOM 3300.
- (b) To reestablish uniformity of application of the Lists, the Committee further agree that the definition of Item 1635 recorded in Amendment Sheet No. 2 to be in force since February 1st is the definition in force. This definition is reproduced below. This does not exclude the continuation of the new round of discussions originated by the United Kingdom memorandum of April 15th (COCOM 3416.35/4).

"1635 Alloys, as follows:
 (See Interpretative Note No. 6)
 (a) Containing
 (1) 10% or more molybdenum (but 5% or more molybdenum in any alloys containing more than 14% chromium);

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- (2) ^{or} 6% or more cobalt except permanent magnetic metals with a cobalt content of 25% or less; or

(NOTE: Governments may permit as administrative exceptions exports of small quantities of narrow strips for watch springs. Such shipments should be reported in the monthly statistics.)

- (3) 1.5% or more niobium and/or tantalum;
- (b) Nickel bearing steels, n.e.s., containing a total of 52% or more of alloying elements, except such steels containing less than 0.4% titanium or niobium-tantalum;
- (c) Precipitation hardening steels, containing 4% or more nickel. (See Interpretative Note No. 4.)"

3. The CHAIRMAN stated that in future, in order to avoid the possibility of a similar misunderstanding, the Secretariat would abide by the following suggestions made by the German Delegate for recording the Committee's decisions on items:

- (a) Each item would be dealt with in a separate document and not in a comprehensive document dealing with the whole category.
- (b) The words "agreed" or "decided" would be used only in the case of a final decision, without the possibility of reservations, by the Committee.
- (c) The date of coming into force of each definition or amendment would be clearly stated on the relevant final document.
- (d) The necessary amendment sheet to the International Lists would be issued immediately a definition or amendment came into force.

C O N F I D E N T I A L